



Entered on Docket
September 21, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Fox Hills 216, LLC Loan, Except For
Proof of Claim of Wall Family Trust; and
Notice of Status Hearing on Wall Family
Trust Claim**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Fox Hills 216, LLC Loan," ("Fox Hills Loan") [DE 8615] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; Joseph Wall, Wall Family Trust ("Wall Family Trust") sent an informal response directly to the USACM

1 Trust; no other responses to the Objection having been filed with the Court; the Court
2 noting on the record that the disallowance of the Claims listed on **Exhibit A** does not
3 affect the direct lenders' right to repayment by the borrower or from the collateral securing
4 the Fox Hills Loan; and good cause appearing:

5 **IT IS ORDERED** that:

6 1. The Objection [DE 8615] is sustained, except as it relates to Proof of Claim
7 No. 10725-00400 by the Wall Family Trust;

8 2. The claims listed on **Exhibit A** attached, except for Proof of Claim No.
9 10725-00400, are disallowed in full because those claims are based entirely upon an
10 investment in the Fox Hills Loan; and

11 3. Proof of Claim No. 10725-00400 by the Wall Family Trust is set for Status
12 Hearing before this Court on September 30, 2011 at 9:30 a.m. If a representative for the
13 Wall Family Trust fails to appear at the Status Hearing, the Court will consider the
14 response to the Objection to have been withdrawn and it will sustain the Objection as to
15 Proof of Claim No. 10725-00400 by the Wall Family Trust.

16
17 PREPARED AND RESPECTFULLY SUBMITTED BY:

18 **LEWIS AND ROCA LLP**

19
20 By /s/ John Hinderaker (AZ #018024)

21 Robert M. Charles, Jr.

22 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

_____ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Wall Family Trust</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

s/ Joseph Wall -----
 Joseph Wall,
 2778 Bedford Way
 Carson City, NV 89703

Submitted by:
 LEWIS AND ROCA LLP
 By: /s/ John Hinderaker. (AZ #018024)
 Attorneys for USACM Liquidating Trust

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USACM Trust
Fox Hills 216, LLC
Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan
10725-00689	10/20/2006	Sterling, David	Po Box 1509 Pahrump, NV 89041	1,311.49	1,311.49
10725-01068	11/2/2006	Stoebling Family Trust	C/O David Stoebling Trustee 3568 E Russell Rd Ste D Las Vegas, NV 89120-2234	200,000.00	100,000.00
10725-00522	10/10/2006	Thomas J Karren Living Trust	C/O Thomas J Karren Sole Trustee 20483 Powder Mountain CT Bend, OR 97702-9552	50,000.00	50,000.00
10725-01086	11/7/2006	Unland, John & Jane	C/O Wendy W Smith Binder & Malter LLP 2775 Park Avenue Santa Clara, CA 95050	100,000.00	100,000.00
10725-01116	11/9/2006	Wade, Jennifer A	2314 Tall Timbers LN Marietta, GA 30066	50,000.00	50,000.00
10725-00400	10/2/2006	Walls Family Trust DTD 12/10/97	C/O Joseph P & Ellen Walls Tees 2778 Bedford Way Carson City, NV 89703-4618	200,000.00	200,000.00
10725-00226	9/25/2006	Zak, Janet E	9720 Verlaine CT Las Vegas, NV 89145-8695	54,000.00	54,000.00

EXHIBIT A

2452096.1